

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chiang et al.
Title: FLUORESCENCE ENERGY
TRANSFER BY COMPETITIVE
HYBRIDIZATION
Appl. No.: 09/031,087
Filing Date: 2/26/1998
Examiner: Joyce Tung
Art Unit: 1637
Confirmation Number: 8207

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated April 15, 2009, rejecting Claims 2-9, 11 and 14-38.

☒ [X] Notice of Appeal Fee

☒ [X] To be paid as detailed below:

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$540.00
<input type="checkbox"/>	Extension month:	\$0.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$540.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$540.00

The above-identified fees of \$540.00 are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16, 1.17 and 41.20, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 07/15/2009

By Barry S. Wilson

FOLEY & LARDNER LLP
P.O. Box 80278
San Diego, California 92138-0278
Telephone: (858) 847-6722
Facsimile: (858) 792-6773

Richard J. Warburg, Reg. No. 32,327
By Barry S. Wilson, Reg. No. 39,431
Attorney for Applicant